

1 PHILIP DOYLE
2 Trial Attorney, Tax Division
3 U.S. Department of Justice
4 P.O. Box 310
5 Ben Franklin Station
6 Washington, D.C. 20044-0683
7 Telephone: (202) 514-9673

8
9 BLAINE T. WELSH
10 HOLLY VANCE
11 Assistant United States Attorneys
12 District of Nevada
13 100 W. Liberty Street
14 Reno, Nevada 89501
15 (775) 784-5438

16 **IN THE UNITED STATES DISTRICT COURT FOR THE
17 DISTRICT OF NEVADA**

18 UNITED STATES OF AMERICA,)
19 Plaintiff,) Case No. 3:16-cv-00142-MMD-VPC
20 v.)
21) **PLAINTIFF UNITED STATES OF
22 AMERICA'S UNOPPOSED MOTION
23 TO STAY ACTION**
24 KENNETH J. MCKENNA, BANK OF)
25 NEW YORK MELLON TRUST)
26 COMPANY, N.A., etc., and WASHOE)
27 COUNTY TREASURER,)
28)
29 Defendants.)
30 _____)

31 The United States of America moves the Court to stay this action in its entirety – both the
32 Government's claim and the counterclaim/cross-claim filed by Bank of New York Mellon Trust
33 – because the United States and the taxpayer, Kenneth McKenna have entered into a settlement
34 of their dispute. The relevant terms of the settlement require McKenna to pay the United States a
35 sum certain within 90 days and, if he does that, the United States will dismiss this action
36 **WITHOUT PREJUDICE**. In the event McKenna does not make the required payment, the
37 United States will promptly file a motion for summary judgment.

1 Counsel for the United States has conferred with all other counsel in the case, and this
2 motion is unopposed.

3 WHEREFORE, the United States moves the Court to stay this action for 90 days.

4 Date: August 2, 2016

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6 CAROLINE D. CIRAOLO
7 Assistant Attorney General

8 /s/ Philip Doyle
9 PHILIP DOYLE
10 Trial Attorney, Tax Division
11 U.S. Department of Justice
12 P.O. Box 301
13 Ben Franklin Station
14 Washington, D.C. 20044-0683
15 Telephone: (202) 514-9673
16 Email: Philip.a.doyle@usdoj.gov

17 Of Counsel:
18 BLAINE T. WELSH
19 HOLLY VANCE
20 Assistant United States Attorneys

21 Attorneys for the United States of America

22 CERTIFICATE OF SERVICE

23 It is hereby certified that service of the foregoing Plaintiff United States of America's
Unopposed Motion to Stay Action has been made on August 2, 2016, to the following:

24
25 • By ECF notification:

26 Jacob D. Bundick
27 Whitney Welch
28 Greenberg Traurig, LLP
29 3773 Howard Hughes Parkway
30 Suite 400
31 Las Vegas, NV 89169
32 *Attorney for Bank of New York Mellon Trust*

1 Michael Large
2 Washoe County District Attorney
3 P.O. Box 11130
4 Reno, NV 89520
5 *Attorney for Washoe County Treasurer*

6

- 7 • By First Class U.S. mail:

8 Kenneth McKenna, Esq.
9 544 West First Street
10 Reno, Nevada 89503

11 /s/ Philip Doyle
12 PHILIP DOYLE
13 Trial Attorney

14 Dated: August 2, 2016

15 IT IS SO ORDERED.

16 
17 U.S. District Judge